

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JESSICA MILLER

**FILED** CIVIL ACTION

v.

MAR 27 2008

MICHAEL J. ASTRUE,  
Commissioner of Social Security

By [Signature] Clerk  
Dep. Clerk

NO. 07-845

**ORDER**

EDUARDO ROBRENO, J.,

AND NOW, this 27 day of March, 2007, upon  
careful and independent consideration, And no objection by the Commissioner,  
the record reveals that the Commissioner did not  
apply correct legal standards and that the record does not contain substantial evidence to  
support the ALJ's findings of fact and conclusions of law. As a result, this action must be  
remanded to the Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

Therefore, it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED AND ADOPTED;
2. Judgment is entered REVERSING the decision of the Commissioner of Social Security for the purposes of this remand only and the relief sought by Plaintiff is GRANTED to the extent that the matter is REMANDED for further proceedings consistent with this adjudication;
3. The Clerk of Court is hereby directed to mark this case closed.

BY THE COURT:

[Signature]  
EDUARDO ROBRENO, J.